



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Johnie Au et al.

Serial No.: 09/895,306

Title: HIGH SPEED ASYNCHRONOUS AND PROGRAMMABLE STATE MACHINE FOR GENERATING ALMOST FULL SYNCHRONOUS FLAGS IN A SYNCHRONOUS FIFO

Filed: June 29, 2001

Attorney Docket No.: 0325.00508

Examiner: Chang, E.

Art Unit: 2116

I hereby certify that this letter, the response or amendment attached hereto are being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 12, 2005.

By: Mary Donna Berkley  
Mary Donna Berkley

**RESPONSE UNDER 37 CFR 1.312**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REMARKS REGARDING OATH/DECLARATION**

The requirement for a new oath or declaration is respectfully traversed. The Examiner cites M.P.E.P. §602 for support that the oath or declaration is defective because it does not adequately identify the specification. However, the Examiner's attention is directed to the title of M.P.E.P. §602.02 which clearly states "new oath or substitute for original". It is respectfully submitted